

Floor Statements

Scroll down for Congresswoman Norton's Statements on the House Floor

MARCUS DIXON DOES NOT BELONG IN PRISON

February 03, 2004

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentlewoman from the District of Columbia (Ms. Norton) is recognized during morning hour debates for 5 minutes.

Ms. NORTON. Mr. Speaker, today when regrettably almost half of high school students report having had sexual intercourse, I want Members [of Congress] to consider the following: How would a court likely react if an 18-year-old star high school athlete, a student from a very disadvantaged background, manages a 3.9 average, 1200 on his SATs, full scholarship from Vanderbilt, is accused by a female acquaintance of rape after having sex with the girl, who is less than 3 years younger. Now color the boy black and the girl white, and Members may not be surprised that Marcus Dixon received 10 years for this teen sex violation.

To the credit of the State of Georgia, the State amended its law almost 10 years ago to deal with sex between teens and made statutory rape a misdemeanor. The prosecutor, however, wanted a conviction very badly because he piled on six different charges, most of them involving forcible rape, and an additional charge of aggravated child molestation which is reserved for very heinous crimes.

The jury had to contend with two very different versions. He said that she suggested, "Let us not go to my house, my father is a racist and he has beaten me for less." She said she was a virgin and he raped her on a table. The jury apparently believed this was one more example of consensual teen sex by virtue of the fact that they convicted only for the misdemeanor statutory rape charge. However, they left the aggregated child molestation charge because of testimony that she was a virgin, therefore bled, therefore had been injured; and he, therefore, was guilty of child molestation causing injury. For that injury, literally millions of teenage boys would be in jail as I speak.

That is where Marcus Dixon is, but many on the jury are dumbfounded because they believed that Marcus would walk out of court with a misdemeanor statutory rape conviction with the white couple who adopted him from his crack-addicted mother. The case is on appeal.

Male black, female white, harsh sentence, sound familiar? Consider if the girl had been black and the boy white, can Members imagine a 10-year sentence? Suppose both had been of the same race, can Members imagine a 10-year sentence?

The villain here is not only an overzealous prosecutor who treats teen sex as a sexual predator case and disregards Marcus' achievement in overcoming the kind of severe deprivation most of us have never had.

The villain also is mandatory minimums. For nonviolent drug offenses, we have put a generation of young black men in jail and left the black community with 70 percent of its children with no fathers and destroyed the black family. Let us be clear: We must do much more to teach our children to abstain from sex, but it is also time to teach prosecutors fairness and equal application of the law and to teach ourselves the injustice of mandatory minimums.###

VOTING RIGHTS FOR CITIZENS OF THE DISTRICT OF COLUMBIA

January 28, 2004

Mr. Speaker, the denial of voting rights to people in the District of Columbia who pay their taxes every day and are fighting in Iraq, Afghanistan, and all around the world is finally sparking national attention, and even more important, it is sparking bills in the Congress. Bills not only from me and my side of the aisle, but I am pleased to note from my Republican friends.

Several Members are considering or have already put in bills [for] voting rights for the residents of the District of Columbia, and all of these are Republican bills and worth noting on this floor.

The first national interest comes, of course, from our "First in the Nation" primary. It was non-binding, but that did not much matter. People came out in double the numbers they came out in the 2000 Presidential primary. And they came out because the primary was in part a personal protest vote against paying taxes without representation here in the House, no representation in the Senate whatsoever, and yet serving as we have in our Armed Forces since our Nation was established, all without representation. Today, we are once again disproportionately represented in our Armed Forces in Iraq and Afghanistan.

The bills, however, are not about protest. They are about a remedy. I am still gathering signatures, and am grateful to Members who have signed on to my No Taxation Without Representation Act, and I will continue to do so. Indeed, [my] bill got out of committee in the Senate a couple of years ago, and I certainly have not given up on it. But I do want to come to the floor this afternoon to say I welcome bills, especially the bills by my Republican friends, and I am very encouraged and will continue to work with them until we get a bill that everybody can agree upon.

My own bill, of course, would give representation in the House and the Senate for the District of Columbia. The gentleman from Virginia (Mr. Tom Davis), Chair of the Committee on Government Reform, which has oversight for the District of Columbia, is considering a bill that would have a House-only seat.

The gentleman from Ohio (Mr. Regula) has long favored and often in the past put in bills for voting rights. His is a retrocession bill. D.C. would return to the State of Maryland, if Maryland agreed, with Congress maintaining control over the Federal enclave.

And now the gentleman from California (Mr. Rohrabacher) has come forward with a bill that treats the District [residents], for purposes of voting rights only, as Maryland citizens. District residents could vote in Maryland, could run for the Maryland Senate seats. We would remain an independent jurisdiction and there would be no retrocession.

The gentleman from Ohio (Mr. Kucinich) has indicated that he is considering a statehood bill. The problem is that we had a vote on statehood in 1993, but the District had grave financial problems and had to give back State costs, so we do not presently qualify to become a State.

We are asking for voting representation because every citizen qualifies for representation in her legislature. As long as the Federal Government takes the money of the people I represent every April 15, as long as we have men and women fighting and dying abroad, and today especially in Iraq and Afghanistan, it is simply intolerable for there to be unequal representation.

For my constituents, this is pure and simple a question of disparate treatment, inequality of treatment and discrimination. At a time when we are insisting on democracy not only in Iraq but everywhere in the world, at some point people are going to point their fingers right at us and say, "Why do you not give the same democracy to the people who live closest to you, the people of your own Nation's capital?" To that, our only answer can be, "Duh?"

We do not have any answer. The fact that I have colleagues on the other side of the aisle, three of them, who have come forward with their own bills says to me that there is a gathering consensus that we can, in fact, move forward with a bill.

I am not going to abandon my bill at the moment. Ultimately all of these bills will come together, and I have no doubt that together we can find the solution to the last remaining and most intolerable scar on our democracy.

My thanks, finally and once again, to my colleagues, the gentleman from Virginia (Mr. Tom Davis), the gentleman from California (Mr. Rohrabacher), the gentleman from Ohio (Mr. Regula), and the gentleman from Ohio (Mr. Kucinich).###THE FISCAL STATUS OF OUR NATION

Congressional Black Caucus Special Order on the Economy and the President's Budget

January 28, 2004

Discussions of deficits quickly go off into the arcane about economics and the rest. Of course, I applaud those who call attention to what deficits do to slowing economic growth, through raising interest rates, crowding private investment, etc. But I must say to the average American, until the interest rate goes up on his or her car, there may be little understanding of what that means. I am very concerned with what it means in particular for the baby boomers who seem to me are in dire risk because of the President's budget. It is already controversial.

CBO's projections, as I understand them, do not even take into account at least two huge items that are almost inevitably going to be before us. One is the alternative minimum tax and another is, of course, the President's very explicit statement that he wants to make the tax cuts permanent. CBO does not include that in its projections.

We are looking at the worst deficit in our history. My good friends on the other side tell us it is really because of spending. If they would only stop spending, things would be okay.

I have looked at the figures since 2001 and 9/11. Each year, 90 percent or more of the spending has been for defense and homeland security. In 2001, 95 percent of the funding increases were for defense and homeland security; 93 percent in 2002; 90 percent in 2003; 90 percent in 2004. It is not the spending, as they say, stupid. It is the tax cuts. And we have got to come to grips with that and face that reality if we want to do something about the deficit.

What concerns me most is, what we are going to do now that we have already eaten up the surplus that we were putting into Social Security and Medicare trust funds. What are we going to do? We know that the Medicare bill says the Congress at a certain point in time will have to look at whether or not to cut benefits or to raise taxes.

Assuming we are in the same Congress we are in now, and I pray we are not, then, of course, what this Congress would look to do is to cut benefits. That would be a historic first. Therefore, when one begins to talk about the deficit, I have come to the floor to say that I think the Congressional Black Caucus tonight has put the emphasis where it belongs. Let us put it on some real bodies, the people who will suffer, the baby boomers who are already almost upon us.

For the moment, let us think of what the President already has proposed, the first step towards privatizing Social Security, which really sinks the whole thing. Younger workers would be allowed to redirect part of their payroll taxes out of the Social Security trust fund and they themselves would deal with private accounts. We have got to put all of this on the table and have an honest discussion about it.

I thank my good friends who have come to the floor tonight for beginning that very honest discussion.

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REMOVAL OF PRO-CHOICE LANGUAGES FROM BANKRUPTCY BILL

January 28, 2004

I rise to take strong exception to putting this bill once again in jeopardy by reinserting anti-choice language instead of language that was agreed upon in a bipartisan fashion and that again would put this bill in jeopardy.

As I understand the anti-choice movement, and I respect them for their view which I believe is sincere, the movement disavows violence. Each and every time there is violence in their name, the movement is clear that violence shall not occur in their name. And not only do I not have any reason to doubt them, I have every reason to believe they are sincere.

Why in the world then would we want to take out the bipartisan Hatch-Schumer language that was agreed upon and do so unilaterally? After all, the point of this bill is to remedy the abuse of the bankruptcy laws. Is it not an abuse to avoid a lawful judgment of a court of law rendered through imposition of fines after finding that a party had, for example, committed violence? Would anybody condone going into bankruptcy in order to avoid that lawful judgment? I see no reason why anybody would want to sign up for that, much less jeopardize this bill. Mr. Chairman, I just want to say, at the beginning of this session, we have gotten to the point where bipartisan compromise does not matter anymore in this House. We know conference reports do not matter. We know that Democrats did not even get to conference last year. But the notion that Mr. Schumer and Mr. Hatch could reach a compromise on something as controversial in its underlying content as choice and then have that torn up by the House should be unthinkable. I do not think Mr. Hatch would have agreed to it, and as I understood it, the gentleman from Illinois (Mr. Hyde) agreed to it, that it was a kind of compromise. The gentleman from Wisconsin (Mr. Sensenbrenner), all of them agreed that this was what should be done to get the bill through. Why throw it in their face and in our face by taking that compromise out of the bill? This used to be known as breaking one's word; and one thing I thought good politicians, let alone ethical men and women, never did was to break their word. This is a breaking of the word. I ask them to reconsider. Please let us begin this session, 2004, right. Let us not go back to the bad old days of 2003.